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Pg(1) OF(1)

6-27-08

UNITED STATES DISTRICT COURT
Northern District of Illinois
EASTERN DIVISION

Banks v People of the State
of Illinois, et AL


08CV1044
Case no. 08CV1044
Judge Rebecca
Pallmeyer

FILED

JUL 07 2008 EA
Jul 7, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

NOTICE OF Filing

PLEASE TAKE NOTICE PETITIONER has cause
to be served on the clerk one copies
of the Rule 60(B) Motion. Due to the
conditions of confinement the Petitioner
can not get copies or Assistant from
the proper source of a law library or
a constitutional acceptable means
which he (Banks) cannot mount his
claim(s). Petitioner Request Pro Bono
counsel.

Respectfully Submitted


NEW ADDRESS

Warry M. Banks
Lehman Drive
P.O. Box 31
CHESTER, IL 62233

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN Division

BANKS V PEOPLE OF THE STATE ; case no. 08cv1044
OF ILLINOIS, et. AL ; Judge Rebecca

FILED ; Pallmeyer

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT ;

MOTION TO CORRECT JUDGMENT, PURSUANT
TO Rule 60(b)

CAME NOW LARRY M. BANKS Pra'se & Submits
The following; Motion To correct Judgment,
Pursuant to Rule 60(b)

The PETITIONER STATES HE cause for a
TITLE 28 U.S.C. § 1443(1) & (2) Petition For
Removal, to be filed, the cause was given
status date to be heard before Judge
Nordberg, but Judge Nordberg Transferred the
case to the EXECUTIVE committee, who
Transferred the case to Honorable Rebecca
Pallmeyer, who review the case, and
Dismissed the case.

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NEWLY DISCOVERED EVIDENCE

THE PETITIONER STATES NEWLY DISCOVERED EVIDENCE has been found, in the Petitioner "State Action" due to the Affidavit of Complaint, being taken out of the Petitioner-Defendant "State Action" 06 CR 2566601, the Petitioner is without the ability to challenge the charge, due to the charge instrument, being missing. The Petitioner has filed numerous Motions, Writs, & Petitions, which challenge the Affidavit of Complaint, But nowhere can the instrument be found.

The Petitioner order to certified copies of the file, and in both of the certified copies the original charge instrument wasn't there. The Petitioner filed a Writ of HABEAS CORPUS pursuant to 28 U.S.C. § 2241 (c), the issues were submitted, but the case was dismissed for the reason being Petitioner didn't exhaust his State Remedies; the Petitioner challenge the "Judgment" on 6-25-08 before Judge Hibbler in a Rule 60(B) Motion.

THE PETITIONER STATES THE STATE Forum has denied Due' process & equal protection

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OF the Law to the Petitioner, THE Petitioner has EXHAUSTED EVERY STATE protected INTEREST RIGHT AFFORDED to a Defendant in the Cook County Criminal Court.

Lack of a Constitutional Acceptable Law Library or a Constitutional Acceptable MEANS to Redress the Court.

The Petitioner states He was Present in Criminal case no. 06 CR 2566601, before the Honorable Victoria Stewart, and the Honorable Victoria Stewart (S.D.J) the proceeding, and the case went to Judge Thomas Davy who sent the Petitioner to get Fitness Evaluation At Cook County Criminal Division on the 10th floor. The Defendant ("Banks") was found UNFIT, because The Doctor stated I was Declusional, the Defendant (Banks) WAS TRANSFERRED to Elgin Mental Health center, where there was no Law Library nor a Constitutional Acceptable means For a (Pre-Trial Detainee) to Redress him in the courts.

The Petitioner was in want of counsel, But due to his lack of legal Training ("Banks") is unable to make a color claim, because the ACTIONS of (D.H.S.) denying

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Detainees's THE Right to Petition the courts.

THE PETITIONER WAS TRANSPORTED TO CHESTER MENTAL HEALTH CENTER FOR FILING A SUIT AGAINST "ELGIN MENTAL HEALTH CENTER" FOR DENYING (PRE-TRIAL Detainees's) THE Right to Petition the Court.

THE ELGIN MENTAL HEALTH CENTER, AND CHESTER MENTAL HEALTH CENTER DENYS TO IT'S PRE-TRIAL Detainees's A LAW LIBRARY AND A CONSTITUTIONAL ACCEPTABLE ALTERNATIVE MEANS TO REDRESS THE FEDERAL FORUM.

AS OF 6-27-08 THE PETITIONER IS IN WANT OF COUNSEL, IN THE ASSISTANCE TO SET FORTH A COLOR CLAIM, WHICH WILL ALLOW THE COURTS TO HEAR HIS CLAIM.

DENIAL OF DUE PROCESS
AND EQUAL PROTECTION OF THE LAW.

THE U.S.T. (PRE-TRIAL Detainees's) SUFFER BECAUSE THEIR NO PAIRLEGAL, NOR LAW LIBRARY IN THE FACILITY, SO I (BANKS) CANNOT SUBMIT A COLOR CLAIM, WHICH HAS MERITS, BECAUSE I (BANKS) DON'T HAVE NEXUS LEXIS OR WEST LAW, NOR IS

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Their only Law Books in the facility,
So I can-not properly ADDRESS the
Court.

I Filed a Suit 07 CV 5654 with the
Honorable Judge Dow, the Facility has
PHYSICALLY ABUSED ("Banks") for Submitting
"Petitions" to the Court.

THE PETITIONER REQUEST For Counsel to
Be appointed & the case to be reopened
For the Reason Stated in the Rule 60(B)
Motion.

THE PETITIONER can-not Appeal the
claim(s) to the Seventh circuit, because
there is no law library nor constitutional
Appettable means to get legal information
Such as case law to Redress one-self,
on Appeal.

THE Court Affords Pro' Bo Attorneys
in this case one is needed, to post the
Floor, and get the court house Doors
open.

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Conclusion

The Petitioner pray the court will Afford Such Relief, and grant the Petitioner who's in want of counsel, counsel due to the conditions of confinement, and due to the newly discovered evidence.

CERTIFICATE OF SERVICE

Comes now Larry Banks Pro-se in want of counsel, and submits that he has served the U.S. District clerk a copy of the following Rule 6a(b) Motion, via hand mail U.S. postal Service from Wehmen Drive P.O. Box 31 Chester Illinois 62233

Respectfully Submitted
Y m h

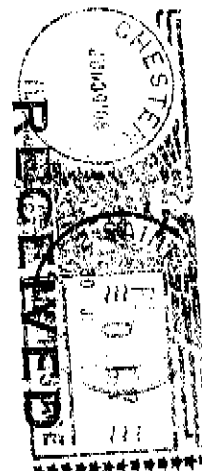


Illinois Department of
Human Services

Chester Mental Health Center
Post Office Box 31
Chester, Illinois 62233-0031

*Not an inmate
P.C.*

EOED4X1702



JUL 07 2008

MICHAEL W. DOBINS
CLERK, U. S. DISTRICT COURT

UNITED STATES DISTRICT
COURT FOR THE

Western District

of Illinois

Michael W. Dobins, Clerk

Ill. 60604

500 1 Street